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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,678	09/15/2003	Takashi Tsuji	1247-0523P	9153

2292 7590 06/09/2005

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EXAMINER

LAO, LUN S

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/661,678	TSUJI, TAKASHI	
	Examiner	Art Unit	
	Lun-See Lao	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Introduction

1. Claims 1-16 are pending. This action is in response to the application filed 09-15-2003.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 15, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamijo (JP6-62148-A) in view of Morisaki (US PAT. 5,365,580 hereinafter Morisaki).

Consider claim 1, Kamijo teaches a data communication system comprising:
request judging means (see fig.1, (3) control part) for judging whether or not a terminal unit of a caller is requesting data communication based on a call signal (CNG or ENQ) given from the terminal unit;

connection instructing means (see fig.1, (2) data modem) for instructing to connect a line for transmitting /receiving signals to/from the terminal unit;

line control means (see fig.1, (4) network control part) for connecting the line in response to an instruction from the connection instructing means;

Transmission / receiving control means (see fig.1, (3) control part) for data communication, capable of controlling transmission/receiving of signals indicative of

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data on the basis of a communication protocol preset for the data communication (see abstract),

But Kamijo fails to teach communication control means, in response to a result of judgment of the request judging means, for, in the case where the data communication is requested, causing the line control means to connect the line to compare an authorization given from the terminal unit via the line with a reference authorization defined in advance and for causing the transmission / receiving control means to start to control the transmission/receiving of the signals only when the authorization coincides with the reference authorization.

However, Morisaki discloses communication control means (see fig.4), in response to a result of judgement of the request judging means (see fig.6 (111,112) - 7 (120,121)), for, in the case where the data communication is requested, causing the line control means (see col.3 line 59 - col.4 line 28) to connect the line to compare an authorization given from the terminal unit via the line with a reference authorization (see fig. 6 (111,112) – 7 (120,121)) defined in advance and for causing the transmission / receiving control means to start to control the transmission / receiving of the signals only when the authorization (see fig.8 (1b)) coincides with the reference authorization.

Therefore, it would have been obvious to one of ordinary skill in that art to utilize the teaching of Morisaki into Kamijo to provide a novel and useful system for detecting unauthorized use of an identifier in a communication system which includes at least one terminal coupled to a communication center via a communication network (Morisaki, col. 2, lines 16-21).

As to claim 15, it is covered by claim 1 except for capable of making data communication. Refer to claim 1 for rejection. Further, the data communication system of Kamijo as modified by Morisaki is capable of making data communication (see abstract).

As to claim 16, it is a program product claim of claim 1. Refer to claim 1 for rejection.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over by Kamijo (JP6-62148) and Morisaki (US PAT 5,365,580) as applied to claim 1, and further in view of Creamer et al (US PAT 6,028,917 hereinafter Creamer).

Consider claim 2, Kamijo as modified by Morisaki differs from claim 2 in not disclosing that the communication control means causes the transmission / receiving control means to convert the requested set of transmission object data into signals on the basis of the communication protocol and transmit the signals.

Creamer teaches storing at least one of predetermined sets of transmission object data, wherein the terminal unit requests to transmit data other than the predetermined sets of transmission object data after starting the control means of transmission / receiving of signal, and wherein the communication control means (see fig. 7e (144)) causes the transmission / receiving control means (see fig. 7f (152,154)) to convert any one of the predetermined sets of transmission object data into signals on the basis of the communication protocol and transmit the signal. When the terminal unit requests to transmit any one of the predetermined sets of transmission object data, the

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communication control causes the transmission / receiving control means (see fig. 7f (152,154)) to convert the requested set of transmission object data into signals on the basis of the communication protocol and transmit the signals (see fig. 8 (202)).

Therefore, it would have been obvious to one of ordinary skill in that art to utilize the teaching of Kamijo and Morisaki with that of Creamer, so that the system provide telephone type services over the Internet to convert the requested set of transmission object data into a signal on the basis of the communication protocol.

5. Claims 3, 6-9,11,14 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Kamijo (JP6-62148) as modified by Morisaki (US PAT 5,365,580) as applied to claim 1, and further in view of White et al (US PAT 6,069,890 hereinafter White).

Consider claim 3, Morisaki as modified by Kamijo and Creamer differs from claim 3 in not disclosing that the communication control means judges whether or not the transmitted one or more conditions of judgment satisfy one or more predetermined reference conditions for allowing the requested set of transmission object data to be transmitted in response to the request from the terminal unit and only when the one or more conditions of judgment satisfy the one or more predetermined reference conditions, the communication control means causes the transmission/receiving control means to convert the requested set of transmission object data into signals on the basis of the communication protocol and transmit the signal.

White teaches a communication system comprising storing means for storing at least one of the predetermined sets of transmission object data, wherein the terminal

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unit transmits the request to transmit any one of the predetermined sets of transmission object data and one or more predetermined conditions of judgment, after starting the control of transmission / receiving of signal (see fig.2 and col.5 line 49-col.6 line 6). The communication control judges whether or not the transmitted one or more conditions of judgment satisfy one or more predetermined reference conditions for allowing the requested set of transmission object data to be transmitted in response to the request from the terminal unit and only when the one or more conditions of judgment satisfy the one or more predetermined reference conditions, the communication control means causes the transmission / receiving control to convert the requested set of transmission object data into signals on the basis of the communication protocol and transmit the signals (see fig.5, col.5 line 49 - col.6 line 6 and col.7 lines 12-44).

Therefore, it would have been obvious to one of ordinary skill in that art to further modified Kamijo as modified by Morisaki and Creamer, so that the system provides telephone type services over the Internet for information providers (IPs) constituting the end system which collect and market the information through their own servers.

Regarding claim 6, White discloses that the line contains a part of a public line network, and one of the conditions of judgment is an identification number for discriminating the terminal unit within the public line network (see fig. Col.5, line 52 - col.6 line 5).

Consider claim 7, Morisaki teaches that one of the one or more conditions of judgment is predetermined authorization (see fig.9, col. 1 line 31 - col.2 line 10).

Consider claim 8, Kamijo as modified differs from claims 8 in not disclosing that the data communication system of further comprising storing means for storing at least one of predetermined sets of transmission object data; that the terminal unit transmits the request to transmit any one of the predetermined sets of transmission object data and one or more predetermined conditions of judgment after starting the control of the transmission/receiving of the signal; and that the communication control means judges whether or not the transmitted one or more conditions of judgment satisfy one or more predetermined reference conditions for allowing the requested set of transmission object data to be transmitted in response to the request from the terminal unit and when the one or more conditions of judgment satisfy the one or more predetermined reference condition the communication control means causes the transmission / receiving control means to convert the requested set of transmission object data into signals on the basis of the communication protocol and transmit the signals, and when the one or more conditions of judgment do not satisfy the one or more reference conditions the communication control means causes the transmission / receiving control means to convert transmission object data other than the requested transmission object data into signals on the basis of the communication protocol and transmit the signals.

Morisaki teaches that when the one or more conditions of judgment do not satisfy the one or more reference conditions, the communication control means causes the transmission/receiving control means to convert transmission object data other than the requested transmission object data into signals on the basis of the communication protocol and transmit the signals (see fig. 9-10).

However, Kamijo as modified fails to teach that the communication system comprising at least one of predetermined sets of transmission object data.

On the other hand, White teaches storing means for storing at least one of predetermined sets of transmission object data; and that the terminal unit transmits the request to transmit any one of the predetermined sets of transmission object data and one or more predetermined conditions of judgment after starting the control of the transmission/receiving of the signal; and that the communication control means judges whether or not the transmitted one or more conditions of judgment satisfy one or more predetermined reference conditions for allowing the requested set of transmission object data to be transmitted in response to the request from the terminal unit and when the one or more conditions of judgment satisfy the one or more predetermined reference condition the communication control means causes the transmission / receiving control means to convert the requested set of transmission object data into signals on the basis of the communication protocol and transmit the signals (see figs. 5 - 6, col.5 line 64 to col.6 line 9, col.8 line 20 to col.9 line 10).

Therefore, it would have been obvious to one of ordinary skill in the art to further modified Kamijo as modified by Morisaki with White, so that the system provides telephone type services over the Internet Public switched telephone networks utilizing program controlled switching system which are arranged in an architecture with the internet to provide a methodology for telephone use of the internet by customers on an impromptu basis.

Consider claim 9, White teaches that one of the one or more conditions of judgment is the specification of the terminal unit related to processing of the set of transmission object data (see fig.5, 6).

Consider claims 11,14, White discloses that the line contains a part of a public line network, and one of the conditions of judgment is an identification number for discriminating the terminal unit within the public line network (see fig.2 col.5 50-62). White also teaches that the communication protocol is a communication protocol used for data communication on Internet (see fig.4).

6. Claims 4, 5, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamijo (JP6-62148) as modified by Morisaki (US PAT 5,365,580) and White et al. (US PAT 6,069,890) as applied to claim 3, 8 above, and further in view of Jois et al (US PAT 6,112,242 hereinafter Jois).

Consider claims 4, 5, Kamijo as modified by Morisaki and White differs from claim 4 in not disclosing that the specification of the terminal unit is related to processing of the set of transmission object data and imaging the set of transmission object data.

Jois teaches that the one or more conditions of the specification of the terminal unit is related to processing of the set of transmission object data (see col.3 line 45 to col.4 line 10). Jois also teaches that the terminal unit further comprises imaging means for imaging the set of transmission object data, and one of the one or more conditions of judgment is the specification of the imaging related to imaging the set of transmission object data (see fig.3 and col. 4 lines 10-41).

Therefore, it would have obvious to one of ordinary skill in the art at the time the invention was made to modify the obvious combination of Kamijo, Morisaki and White with Jois to have specification of the terminal unit related to process for improved interactive transaction in a hypertext data processing system operating in a web client-server network.

Consider claims 10, Jois teaches that the terminal unit further comprises imaging means for imaging the set of transmission object data, and one of the one or more conditions of judgment is the specification of the imaging means related to imaging the set of transmission object data (see fig 3, col.1 lines 8-50).

7. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamijo (JP6-62148) as modified by Morisaki (US PAT 5,365,580) and White et al. (US PAT 6,069,890) as applied to claim 1 above and further in view of Creamer (US PAT. 6,028,917 hereinafter Creamer).

Consider claim 12, Kamijo as modified by Morisaki and White differs from claim 12 in not disclosing that one of the one or more conditions of judgment is predetermined authorization.

However, Creamer teaches that one of the one or more conditions of judgment is predetermined authorization (see abstract and fig.4).

Therefore, it would have been obvious to one of ordinary skill in that art to utilize the teaching of Kamijo; Morisaki and white with that of Creamer, so that the system provides a service capability for resource management intelligence in the PSTN that

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expands the type and character of services that may be provided to PSTN customers and other authorized users.

8. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over by Kamijo (JP6-62148) as modified by Morisaki (US PAT 5,365,580) as applied to claim 1, and further in view of Jois et al (US PAT 6,112,242 hereinafter Jois).

Consider claim 13, Kamijo as modified by Morisaki differs from claim13 in not disclosing received-data storage means capable of storing data and that the communication control means stores data indicated by the received signals in the received-data storage means.

However, Jois teaches that the system further comprising received-data storage means capable of storing data and that the communication control means stores data indicated by the received signals in the received-data storage means (see col.3 line 45 to col.4 line40).

Therefore, it would have obvious to one of ordinary skill in the art at the time the invention was made to modify the obvious combination of Kamijo, Morisaki with Jois to provide a system and method for implementation of composite Web page that allows a user to send input in one component and interactively view a response from the server in anther component of the composite Wed page.

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Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nagai (US PAT. 6,636,587) is cited to show other related to data communication system and medium for storing communication control program.

10. Any response to this action should be mailed to:

Mail Stop ____ (explanation, e.g., Amendment or After-final, etc.)

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P.O. Box 1450
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Facsimile responses should be faxed to:

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lao,Lun-See whose telephone number is (571) 272-7501. The examiner can normally be reached on Monday-Friday from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (571) 272-7499.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (571) 272-2600.

Lao,Lun-See
Patent Examiner
US Patent and Trademark Office
Crystal Park 2
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DUC NGUYEN
PRIMARY EXAMINER